

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF VIRGINIA
BIG STONE GAP DIVISION**

UNITED STATES OF AMERICA

v.

WESLEY DAVID GROSS

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Case No. 2:15-CR-15

NOTICE OF SUPPLEMENTAL AUTHORITY

The Government hereby notifies the Court that, since the filing of its response brief (dkt. 1233), Mr. Gross has completed his course of treatment for COVID-19 prevention. Additionally, the Government supplements its authorities cited on page 8 of its opposition brief with a recent decision from this Court finding that vaccination eliminates COVID-19-related medical risk factors from qualification as extraordinary and compelling circumstances. *See United States v. Mitchell*, No. 5:97-cv-30078, ECF No. 51 at 4-5 (W.D. Va. April 21, 2021) (Moon, J.).

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on April 22, 2021, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to counsel of record. Paper copies will be mailed to Gross.

s/ S. Cagle Juhan
Assistant United States Attorney